

News Release



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Labor Department's MSHA levies \$220,000 fine against Perry County Co. *Kentucky-based Perry Co. Coal Corp.'s flagrant actions tied to electrical accident*

ARLINGTON, Va. – The U.S. Department of Labor's Mine Safety and Health Administration (MSHA) has proposed a \$220,000 penalty against Perry County Coal Corp. following a serious electrical accident last February at its E4-1 Mine in Hazard, Ky. A miner received electrical burns while attempting to re-install a high-voltage splice box.

“A flagrant violation of the mine safety laws intended to prevent this type of accident directly contributed to the accident,” said Richard E. Stickler, assistant secretary of labor for mine safety and health. “MSHA will not hesitate to assess stiff penalties against coal companies that fail to comply with safety and health regulations,” he said.

A flagrant violation is defined as “a reckless or repeated failure to make reasonable efforts to eliminate a known violation of a mandatory safety and health standard that substantially and proximately caused, or reasonably could have been expected to cause, death or serious bodily injury.” Under the MINER Act, a civil penalty of up to \$220,000 may be assessed for each flagrant violation.

On the day of the accident, the shift section foreman had requested that the high-voltage circuit to the mechanized mining unit (MMU) be de-energized to allow the installation of an additional length of high voltage cable via a splice box. Once installed, the victim, an electrician, telephoned the mine foreman and requested that the circuit to the MMU be re-energized, which caused a nearby power source to fail. Workers assumed the cable had a fault, which they quickly repaired. When the victim began reinstalling the cable into the splice box, the power became energized. Although he wore rubber gloves, he received burns on his right wrists and left index finger. He was treated for shock, then transported to the surface and taken to the hospital for further medical treatment.

An investigation determined the root cause of the accident to be a failure to lock out and suitably tag disconnecting devices by persons performing the work. Interviews conducted by investigators revealed this to be a common practice at the mine, and one of which mine management was fully aware. Furthermore, miners were instructed to operate equipment without being properly trained.

The mine operator has 30 days from receipt of the proposed assessment to pay or contest the penalty. If the operator contests the citations and orders, payment will be due 30 days after the Mine Safety and Health Review Commission renders a decision.

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